

#### **EXPRESS MAIL CERTIFICATE**

Express Mail No.:

- EV 681573776 US

Date of Deposit:

- October 7, 2005

Type of Document(s):

- Transmittal Form (PTO/SB/21)

- Amendment and Response to Final Office Action

(11 pages)

- Postcard Filing Receipt

Application No.:

- 09/770,366

Filed:

- January 26, 2001

Applicant(s):

- Prasad DASIKA et al.

Title:

- METHOD AND SYSTEM FOR

**AUTOMATICALLY PROVISIONING** 

AN OVERHEAD BYTE

Examiner:

- Hanh N. Nguyen

Art Unit:

- 2662

Attorney Docket No.:

- 10.0400

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to: Mail Stop Amendment AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 USA.

Bashasa C. Brown
Barbara C. Brown

Paralegal

SATENT & IRA

10-11-05

AT 2662

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
or the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/770,366

TRANSMITTAL FORM			1						
			Filing Date	January 26, 2001					
			First Named Inventor	Prasad DASIKA et al.					
			Art Unit	2662					
		Examiner Name	Hanh N. Nguyen						
(to	be used for all correspondence after initial		Attorney Docket Number						
Total Number of Pages in This Submission 12			Attorney Docket Number 10.0400						
ENCLOSURES (Check all that apply)									
	Fee Transmittal Form  Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority		Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a  Provisional Application  Power of Attorney, Revocatior  Change of Correspondence A  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  Landscape Table on CD			After Allowance Communication to TC  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Other Enclosure(s) (please Identify below):			
	Document(s)  Reply to Missing Parts/ Incomplete Application  Reply to Missing Parts under 37 CFR 1.52 or 1.53	RETURN RECEIPT POSTCARD EXPRESS MAIL CERTIFICATE							

	SIGNATURE OF APPLICA	NT, ATTORNEY, C	R AGENT		
Firm Name Dougherty, Clements, Hofer, Bernard & Walker					
Signature	MB-d				
Printed name	Christopher L. Bernard				
Date	10-7-2005	Reg. No.	48,234		

## **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Barbara C. Brown 10-7-2005 Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

OCT 07 2005 W

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	)	Prasad DASIKA et al.
Application No.	)	09/770,366
Filing Date	)	January 26, 2001
Title	)	METHOD AND SYSTEM FOR AUTOMATICALLY PROVISIONING AN OVERHEAD BYTE

Examiner ) Hanh N. Nguyen

Art Unit ) .2662

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450 USA

# AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

### Dear Sir/Madam:

In response to the final Office Action mailed July 29, 2005, allowing Claims 13-22 and 34-44, rejecting Claims 1-6, 8-12, and 23-33, and objecting to Claim 7 of the above-referenced Application, in which Claims 1-44 are pending, Applicants respectfully request that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicants submit that the Application is now in condition for allowance (requiring no further search) and respectfully request such action.